

## Message Text

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20

ACTION AF-07

INFO OCT-01 ISO-00 PM-03 NSC-05 SP-02 SS-15 RSC-01 L-02

CIAE-00 DODE-00 INR-05 NSAE-00 PA-01 USIA-06 PRS-01

SCCT-01 AID-05 /055 W

----- 024691

R 271445Z NOV 74

FM AMEMBASSY MASERU

TO SECSTATE WASHDC 4526

INFO AMEMBASSY GABORONE

AMEMBASSY MBABANE

AMEMBASSY PRETORIA

AMCONSUL CAPETOWN

AMCONSUL DURBAN

AMCONSUL JOHANNESBURG

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EO 11652: NA

TAGS: PINT, LT

SUBJ: LESOTHO TREASON TRIAL

CAPETOWN FOR EMBASSY

REF: MASERU 1316 AND PREVIOUS

1. TRIAL OF THIRTY-TWO ACCUSED OF TREASON, SEDITION, AND LESSER OFFENSES BEGAN IN SUBSTANCE NOVEMBER 25 WITH CALLING OF PROSECUTION WITNESSES BY LEADER OF CROWN TEAM, JULES BROWDE. PROSECUTION CASE APPEARS TO BE WELL-PREPARED AND TEAM COMPETENT, WHILE DEFENSE STILL SUFFERING FROM LACK OF EXPERIENCE AND PREPARATION AND FACT THAT SENIOR DEFENSE COUNSEL, DENIS KUNY, NOT YET ON SCENE (HE PLEADING CASE IN JOHANNESBURG AND EXPECTED ARRIVE MASERU LATER IN WEEK).

2. PROSECUTION WAS SOMEWHAT EMBARRASSED AT BEGINNING WHEN FIRST WITNESS, WHO WAS EXPECTED TO CORROBORATE STATEMENT  
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GIVEN TO POLICE IMPLICATING AT LEAST TWO OF ACCUSED IN

CONSPIRACY TO OVERTHROW GOVERNMENT, TURNED HOSTILE AND CLAIMED EARLIER STATEMENT HAD BEEN FALSE AND HAD BEEN COERCED FROM HIM BY BRUTAL BEATINGS AT HANDS OF POLICE. THIS WITNESS WAS WITHDRAWN.

3. SECOND WITNESS GAVE STRAIGHTFORWARD ACCOUNT OF HAVING DRIVEN TWO OF ACCUSED AROUND COUNTRYSIDE COLLECTING FIREARMS DURING NIGHT EARLY IN JANUARY, 1974. THIS WITNESS' TESTIMONY NOT SERIOUSLY CHALLENGED BY JUNIOR DEFENSE COUNSEL, WHO SEEMS TO BE HAVING DIFFICULTY COMING TO GRIPS WITH CASE. HOWEVER, CHIEF JUSTICE MAPETLA, APPARENTLY IN REALIZATION THAT DEFENSE COUNSEL HAD NOT DONE THOROUGH JOB OF CROSS-EXAMINATION, LE WITNESS THROUGH LENGTHY SERIES OF CAREFULLY FRAMED QUESTIONS WHICH CAST SOME DOUBT ON CREDIBILITY OF HIS TESTIMONY.

4. COMMENT: TRIAL APPEARS TO BE SHAPING UP AS LONG, COMPLICATED AFFAIR. IN TWO AND HALF DAYS OF TESTIMONY, ONLY TWO OF ACCUSED HAVE BEEN DIRECTLY IMPLICATED. AT THIS PACE, PROBABLY WILL TAKE GREAT DEAL OF TIME AND LARGE NUMBER OF WITNESSES TO IMPLICATE ALL THIRTY-TWO ACCUSED. KNOWLEDGEABLE PEOPLE OBSERVING TRIAL SPECULATE THAT PROSECUTION MAY BE WEAKENED BY OTHER WITNESSES TURNING HOSTILE AND REPUDIATING EVIDENCE PREVIOUSLY GIVEN TO POLICE UNDER COERCION. SOME EVEN SPECULATE THAT DEFENSE MAY CONTEND THAT CORPUS DELICTI OF TREASON DOES NOT EXIST IN THIS CASE IN THAT ACCUSED DID NOT OWE ALLEGIANCE TO ILLEGAL BNP GOVERNMENT. REGARDLESS OF HOW TRIAL COMES OUT, IT IS ALMOST CERTAIN THAT SERIES OF ATROCITIES ON PART OF POLICE WILL EMERGE TO EMBARRASS JONATHAN'S GOVERNMENT.  
HAUGHT

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TREASON, TRIALS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 27 NOV 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** boyleja  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1974MASERU01354  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D740346-0372  
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**Line Count:** 92  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION AF  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** MASERU 1316 AND PREVIOUS  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** boyleja  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 30 AUG 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <30 AUG 2002 by WorrelSW>; APPROVED <17 MAR 2003 by boyleja>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** LESOTHO TREASON TRIAL CAPETOWN FOR EMBASSY  
**TAGS:** PINT, LT, (LESOTHO)  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005